

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
JANUARY 18, 2017**

MEMBERS PRESENT: Ron LeHoullier, Chair, Harold Guptill, Vice Chair, Bob Belmore, City Manager, Dave Witham, City Council Representative, Aaron Fournier, Paul Robidas, Jeremy Rhodes, Mark Richardson, Jameson Small, Alternate and Mark Fearis, Alternate.

MEMBERS ABSENT: None.

STAFF PRESENT: Shanna Saunders, Director of Planning and Community Development and Tracy Gora, Planning Secretary.

The meeting was called to order at 6:30 pm.

1) APPROVAL OF MINUTES

Motion: Guptill moved to accept the minutes of the meeting of December 21 2016.

Seconded by Witham. Motion carried with a 7-0-1 vote with Robidas abstained.

2) COMMITTEE REPORTS

A) ZBA Report

See attached report.

B) City Council Report

Witham stated that at the last meeting he reported that the Council requested that the City Manager execute a purchase and sales agreement with Eric Chinburg for the Hilltop School but that has been tabled since the details are still be worked out.

C) Site Review Technical Committee Report

See attached report.

D) Minor Field Modification Report

See attached report.

E) Strafford Regional Planning Commission Update

Witham stated that the City applied for and was granted a TAP grant for three quarters of a million dollars for pedestrian improvements in the area of the High School, the Middle School and Maplewood School. Stated that the NHDOT awarded the grant and that it just needs to complete the administrative work with the Governor and Council. Stated that there is a City matching portion that will most likely come from vehicle registration fees. Stated that City staff did a great job and was well done.

F) Vision 2020 Committee Report

Saunders stated that there is a meeting this Thursday and that the Committee is working on the Master Plan Matrix and an update on that.

3) **OLD BUSINESS**

A) Any old business that may come before the Board.

None.

4) **NEW BUSINESS**

A) Trio Investments, LLC is seeking site plan approval for an event/meeting hall on property located at 49 Market Street, in the Business Historic (BH) District, Assessor's Map 11, Lot 78, SITE #09-2016

Witham recused himself from the Board.

Saunders reviewed her memo (see attached) and stated that her memo references parking at the Plaza but that many of those spaces are leased to different entities in the City. Stated that she can provide more information on that. Stated that the Police Department wants to make it clear that if there are public functions that a detail officer may be required.

Public hearing opened 6:38 pm.

Geoff Aleva with Civil Consultants represented the applicant and addressed the Board. Stated that the property used to be a VFW and a church but they are proposing for it to be a function hall/conference center. Stated that there will be minimal changes to the building but that they will need to go before the HDC but that they are mostly cosmetic changes. Stated that they will rehab the stairs coming from Market Street and do some landscaping. Stated that they will have two ADA parking stalls on the property next to the building. Stated that they are not cutting any trees and there will be one new walkway. Stated that the main concern is parking and that they have provided a parking plan. Stated that they will dictate to renters where they can park when using the facility. Stated that there is striping on Market Street that can be used as a drop off area. Stated that parking will be at the Plaza and along the canal on Main Street. Stated that in the worst case scenario, it would be a five minute walk to the facility from the parking area. Stated that parking will not be in front of the businesses along Market Street. Stated that the parking will be on the section of Main Street that doesn't have a time limit. Stated that usage will mostly be evenings and weekends. Stated that the average function will have up to 150 people so only 50 parking spaces are needed. Stated that there are about 80 angled spaces along that section of Main Street. Stated that they may use some parking in the Plaza but they won't take up parking in the downtown.

Thomas Kafalas, owner of House of Pizza at 52 Market Street addressed the Board and stated that he has been at that location since 1988. Stated that, personally, he welcomes business and would like to see more come to the downtown but that the big issue is the parking. Stated that he remembers when the use of the building was a VFW there were no problems but that there were serious issues when it became a church and parking on Market Street was taken. Stated the church parking issues happened when there was more parking in the downtown before the rehabilitation. Stated that even now, tonight, there are not more than one or two spaces available. Stated that the existing businesses will be suffocated. Stated that the nature of the businesses in this area are to stop in, pick up food, etc. and stay for 30 minutes and leave. Stated that he is afraid the businesses will be suffocated if every evening or weekend there are people coming in the area. Stated that when people drive by, if there is a parking space they will take it. Stated that if there are no spaces, then they will park where they are supposed to.

Ross Armstrong, owner of 1 Beacon Street addressed the Board and asked if this will need Council approval. Stated that there are tree limbs hanging over some power lines and that he wants to know if it needs to go to the City to get them down.

Public hearing closed 6:48 pm.

Belmore stated that he would like to comment on the material that was submitted by the applicant. Stated that the parking map was only a City discussion point and is not an official document. Stated that there are errors and inaccuracies on it. Stated that the other parking document is unofficial also and that he is not sure how many public spaces are available.

Aleva stated that the document was provided by the Police Department.

Belmore stated that these were just discussion items and not official documents.

Robidas stated that he wants to get right to parking. Stated that he feels that the City needs a venue like this but that he is not sure if this is the right place. Stated that he agrees with Kafalas that people are just going to take an open parking space no matter where it is. Stated that if an event on Friday or Saturday takes up all the parking then what do you do for the other businesses. Stated that in his experience, if there is no parking for a local business he is trying to go to, he will just keep on driving. Stated that the other businesses will feel an impact. Stated that he is in favor of the project but is worried about the parking.

Aleva stated that this won't put other businesses out of business and that he agrees that people often take the path of least resistance. Stated that it is part of the plan that they will have to tell the renters where the parking is. Stated that it will be part of the rental agreement. Stated that any restaurant will generate traffic and will create some problems downtown. Stated that the recent downtown upgrades took a lot of parking away. Stated that this use will be an improvement to the downtown and it won't be used every day. Stated that he understands the situation downtown and that he doesn't want to hurt local businesses.

Belmore stated that he likes the idea of this business and that there may be a positive impact on local businesses also. Stated that there has been discussion in the past on possibly selling the Plaza parking lot. Stated that there is often snow stored there in the winter.

Aleva stated that is why they are reinforcing the idea of parking along Main Street toward the factory. Stated that there are enough spaces to accommodate the need.

Richardson asked where the number of 50 or 75 cars per event comes from.

Aleva stated that he used the restaurant calculations from the regulations, which is the industry standard.

Richardson stated that he is not sure he agrees with that. Stated that he feels that there will be one or two people per vehicle.

Aleva stated that even if they say there would only be two people per vehicle there are still over 75 parking spaces available.

Richardson stated that he feels the restaurant use is different.

Small asked if the idea of a 250 person capacity is a fixed number and asked about if it were a smaller venue. Stated that it might be better with less people.

Aleva stated that 250 is based on the maximum occupancy for a building of that size. Stated that they assume events will have around 150 people and that going with less than that wouldn't work. Stated that the structure is made for more people.

Saunders stated that the occupancy of a building is based on square footage and is figured by an equation from the State. Stated that a restaurant use assumes one parking spot for three people.

Aleva stated that there will be a commercial hood but intended to be used by caterers.

LeHoullier asked if there are parking time limit signs on the business side of Market Street.

Saunders replied yes and stated that there are time restrictions; two to three hours.

LeHoullier stated that events are usually longer than that.

Aleva stated that there are no parking time limits for the area they are talking about.

Guptill stated that parking is an issue and suggested having valet parking.

Aleva stated that they have an example what the parking language would be in the renter's agreement. Stated that there has been discussion on having the option for a shuttle or bus service.

Guptill asked if the applicant is running the events or renting it out.

Aleva stated that they will rent out.

Belmore stated that many functions might have a DJ or a live band and asked if there has been any consideration for noise since there is a residential area.

Aleva stated that they haven't talked about how late events could go but anything they do will meet the noise ordinance and regulations.

Belmore stated that he would want a restriction of operations and to not rely on the noise ordinance as it is hard to enforce.

Richardson asked how the two levels of the building will be used.

Aleva stated that it is up to the person that will use it but that the smaller room can be used for smaller functions. Stated that a long term goal is to install a handicap left inside the building for access to the second floor.

Fournier stated that he echoes the concerns about parking and stated that it is a possible nightmare situation. Stated that sometimes there are functions at the VFW and that it would be a nightmare if both venues had functions at the same time.

Aleva stated that this is an allowed use in this zone and that there are lots of parking spaces on Main Street along the canal.

LeHoullier asked if there are any suggested conditions of approval for parking.

Saunders stated that she wanted to get direction from the Board first and stated that she likes the idea of valet parking. Stated that it is a good way to ensure parking will be in the right places. Stated that she would like to see a copy of the rental agreement. Stated that in her

opinion this use in the downtown would be a good thing and that she would like the City to work with the applicant for a good plan. Stated that she thinks this will bring a lot of people to the downtown and might help local businesses. Stated that there are good reasons to try to bring this use downtown.

Small stated that he lives on Market Street and knows the struggles of finding parking in this area. Stated that right now there are time limits and they are not enforced. Stated that residents on Market Street don't have their own parking. Stated that a lot of parking is getting pushed down to the mills and now they want parking permits. Stated that he likes the idea of valet parking. Stated that there aren't a lot of parking spaces as it is.

Robidas stated that he is torn about this. Stated that he feels that valet parking is a good idea but impractical and unaffordable. Stated that he looks at the role of a Planning Board to help businesses come in but also to protect what is already there. Stated that he understands that this is an allowed use but that having a 250 person maximum is going to clog the downtown. Stated that they need a solid, comfortable parking plan. Stated that he can't vote to approve this tonight.

Motion: Robidas moved that the request of Trio Investments, LLC for a site plan for an event/meeting hall be **TABLED**.

Belmore stated that there are a lot of positives from this project and that he would like feedback on parking for winter storm events regarding parking bans and snow storage in the Plaza.

Seconded by Guptill.

Belmore asked if there are any other issues that need to be looked at.

Rhodes mentioned noise concerns and stated that the use is near residential uses and businesses with outdoor seating so he would like that addressed.

Aleva stated that they will come back with proposed hours of operation. Stated that they will be installing air conditioning so windows won't be opened, which will help with noise.

Motion carried with a 7-0 vote.

Witham rejoined the Board.

B) Any other new business that may come before the Board.

None.

5) **WORKSHOP BUSINESS**

A) Discussion on Site Plan Review Regulations proposed amendments.

Saunders stated that she provided copies of proposed revisions to the Site Plan Review Regulations. Stated that the Board discussed changes to the site security requirements, changes of use and water and sewer. Passed out a memo with DPW comments regarding water and sewer. Stated that there are two ways to move forward with this and that she is happy to have a subcommittee to review the changes before bringing it to the full Board or to vet it out here. Stated that it is up to the Board on how they would like to proceed.

Belmore asked to go right to the letter of credit section.

Saunders stated that it is section 12 and begins on page 22A.39 and read from it. Stated that the security used to be 110% of cost of construction but that she changed it to 25% of site construction costs.

Belmore asked why 25% was selected as an amount.

Saunders stated that the intention of the money is to contain the site if the developer walks away from the project and not to actually finish the development. Stated that in her experience 25% is enough to do what is needed to secure a site.

Witham stated that he favors that change. Stated that he feels that many developers are against the current amount and that this seems more reasonable and appropriate. Stated that he thinks that applicants will appreciate this change and that it will still protect the City's interests.

Belmore stated that he is good with 25%. Referred to the last page regarding changes of use and asked if something was supposed to go in there.

Saunders stated that this is a working document for changes to be made. Stated that the definition on the last page refers to Section two on the first page. Stated that it is a change in how the City reviews a proposed change of use. Read the suggested change. Stated that certain things would be exempted but they would still need administrative review. Stated that when the Board first discussed amending the Site Plan Review Regulations there was discussion on having a subcommittee before bringing it to the full Board.

Belmore asked if an accessory dwelling unit would go in these regulations or the Zoning Ordinance.

Saunders stated that it would need to go into the Zoning Ordinance but more thought needs to be put into that.

Witham stated that if they were looking at these regulations for the first time then a subcommittee may make sense but that the proposed changes are things that the Board has already talked about. Stated that he would like to absorb the proposed changes and keep this on the agenda as a workshop item.

Robidas stated that he agrees with Witham and suggested having a separate night for a workshop meeting just to discuss this because it is hard to concentrate on this after reviewing applications.

Witham referred to page 22A.20 regarding sidewalks and stated that this has been talked about a lot. Stated that he likes the idea of having them on one side of the road although it may need to be tweaked further. Suggested that in certain situations that in lieu of a sidewalk the applicant could contribute to a sidewalk fund. Stated that the wetland buffer ordinance is hard to understand and complicated to read so they may want to look at that.

Rhodes stated that he agrees that the language needs to be looked at but that it is effective.

Witham stated that it is perceived as being ultra-restrictive.

Rhodes stated that the way it is worded makes it seem too restrictive but it is just the perception.

Saunders stated that she is working with the Conservation Commission on that and that changes would need to go to the City Council. Stated that she has a color version of the

suggested changes to the Site Plan Review Regulations which may be easier to read that she can forward to the Board via email. Stated that if there are questions about the water and sewer updates to let her know in advance so that she can someone from the DPW attend the meeting.

Witham stated that regarding water and sewer, the Council recently discussed hook-up fees in the City. Stated that fees are based on bedroom count or bedroom count equivalents. Stated that makes it complicated is when a new business goes into an old building and used the example of the laundromat looking to move. Stated that they want to take their existing business and move it to an existing structure but the hook-up fees were prohibitive. Stated that the fees were ultimately waived. Stated that the ordinance has been revised and looks at other factors now.

Saunders asked about having a workshop meeting to discuss the proposed regulations and asked what time and date would work for people.

General agreement that an hour or so before the regular meeting would work.

Richardson stated that he likes the idea of meeting on a different night than the regular Planning Board meeting.

Robidas stated that he also would like it on a separate night.

Belmore asked if a full hour would be needed and asked if a half hour would work.

Saunders stated that she can send out a Doodle Pole with dates to see what works best.

B) Any other workshop business that may come before the Board.

None.

6) COMMUNICATION AND MISCELLANEOUS

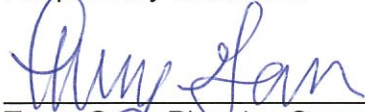
Witham reminded members of the Volunteer Dinner coming up and encouraged everyone to attend.

Motion: Robidas moved to adjourn the meeting.

Seconded by Belmore. Motion carried unanimously.

Meeting adjourned at 7:43 pm.

Respectfully submitted:



Tracy Gora, Planning Secretary
Somersworth Planning Board